

VZCZCXRO2155
OO RUEHROV
DE RUEHEG #0928 1451448
ZNY CCCCC ZZH
O 251448Z MAY 09
FM AMEMBASSY CAIRO
TO RUEHC/SECSTATE WASHDC IMMEDIATE 2575
INFO RHEHNSC/NSC WASHDC IMMEDIATE
RUEHXX/ARAB ISRAELI COLLECTIVE

C O N F I D E N T I A L CAIRO 000928

SIPDIS

FOR NEA, NEA/ELA AND DRL/NESCA
NSC FOR SHAPIRO/KUMAR

E.O. 12958: DECL: 05/25/2029
TAGS: [PREL](#) [PHUM](#) [PGOV](#) [KDEM](#) [EAID](#) [EG](#)
SUBJECT: APPEALS COURT OVERTURNS SAAD EDDIN IBRAHIM PRISON
SENTENCE AND FINE

REF: A. CAIRO 155
[1](#)B. 08 CAIRO 1675
[1](#)C. 08 CAIRO 913
[1](#)D. 07 CAIRO 3455
[1](#)E. 07 CAIRO 1855

Classified By: Deputy Chief of Mission Matt Tueller for reason 1.4 (d).

[1](#)1. (U) On May 25, a Cairo appeals court reversed an August 2008 court ruling against Saad Eddin Ibrahim (SEI) in a civil lawsuit by an NDP activist for "tarnishing Egypt's image abroad," and overturned the two-year prison sentence and LE 10,000 (1,886 USD) fine imposed against him (ref B). The appeals court also ruled that the five to six pending civil lawsuits against SEI on similar grounds be referred to the Prosecutor General (Egypt's Attorney-General equivalent). Ibrahim, founding chairman of the Ibn Khaldoun Center and one of the most prominent Egyptian advocates for political reform, has not returned to Egypt since a civil suit was filed against him in June 2007, accusing him of damaging Egypt's economy and committing "espionage" by urging President Bush to condition aid to Egypt (ref E).

[1](#)2. (C) SEI's lawyer Mohammed Mohi explained that the appeals court ruling on the civil lawsuit charge of "tarnishing Egypt's image abroad" was definitive, and therefore private individuals could not continue their separate lawsuits, which level similar charges. Mohi doubted that the Prosecutor General would take action on these pending civil lawsuits, but was not entirely certain. Mohi speculated that the appeals court ruling was a GOE gesture linked to President Obama's June 4 visit to Cairo. Mohi confirmed that the May 25 appeals court ruling did not touch on the one criminal case currently pending against SEI -- for committing "espionage" through his statements published in newspaper articles in Egypt and abroad. These articles asserted that SEI had convinced President Bush during a June 2007 meeting in Prague to withhold economic assistance to Egypt because of lack of progress on democratic reform. The Public Prosecutor referred this case for investigation in January 2009 (ref A).

[1](#)3. (C) Ibn Khaldoun Center Senior Advisor and SEI confidante Moheb Zaki told us SEI welcomed the appeals court ruling, and is planning to return to Egypt for one week around the time of President Obama's June 4 visit to Cairo. According to Zaki, SEI believes this would be the "safest time" for him to return to Egypt without being "harassed" by the GOE. SEI told Zaki May 25 that he is still worried about the criminal case pending against him, and wants to find out the status of the investigation. Zaki said that he and other friends are advising SEI to keep a visit to Egypt "low-profile" and focused on his family, but SEI's confidantes are worried he would have difficulty refraining from public criticism of the GOE in the face of many interview requests from the Egyptian press.

